

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ZHENG LIU,  
Plaintiff,  
v.  
MARCUS TERRY, et al.,  
Defendants.

Case No. [21-cv-01179-JSC](#)

**ORDER RE: MOTION TO STRIKE  
AND ADMINISTRATIVE MOTION  
FOR LEAVE TO FILE OVERLENGTH  
OPPOSITION BRIEF**

Re: Dkt. Nos. 13 & 14

Before the Court are Plaintiff's motion to strike and administrative motion for leave to file an overlength opposition brief in response to Defendants' motion to dismiss. (Dkt. Nos. 13 & 14.) After careful consideration of Plaintiff's briefing, the Court concludes that oral argument is unnecessary, *see* N.D. Cal. Civ. L-R 7-1(b), and DENIES Plaintiff's motions.

Plaintiff moves to strike Defendants' motion to dismiss on the grounds that it exceeds the permissible length under this District's Local Rules. *See* N.D. Cal. Civ. L.R. 7-2(b). However, Defendants' motion to dismiss does not violate the Local Rules—while the filed submission is 33 pages in total length, the substantive pages of the motion itself falls within the limits that Civil Local Rule 7-2(b) contemplates; indeed, the final page of argument is page number 23. *Id.* The motion follows the standard convention of separately numbering the table of contents and table of authorities from the substantive text. *See Garcia v. Harley-Davidson Motor Co., Inc.*, 2019 WL 6050768 at \*8 n.8 (N.D. Cal. Nov. 15, 2019). The table of contents and table of authorities do not count toward the 25-page limit. *See Ramachandran v. City of Los Altos*, No. 18-CV-01223-VKD, 2021 WL 84488, at \*5 (N.D. Cal. Jan. 11, 2021).

For this reason Plaintiff's motion to strike is DENIED. The Court additionally DENIES Plaintiff's administrative motion. Plaintiff shall file his opposition to Defendants' motion

pursuant to the parties' briefing schedule.

This Order disposes of Dkt. Nos. 13 & 14.

**IT IS SO ORDERED.**

Dated: April 19, 2021

  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge

United States District Court  
Northern District of California